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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,081	08/22/2003	Ravindraraj Ramaraju	SC12814TC	9610

23125 7590 03/12/2007
FREESCALE SEMICONDUCTOR, INC.
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EXAMINER

WELLS, KENNETH B

ART UNIT	PAPER NUMBER
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2816

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/646,081

Applicant(s)

RAMARAJU ET AL.

Examiner

Kenneth B. Wells

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4, 6 and 8-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 6 and 8-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The amendment filed on 1/11/07 has been received and entered in the case.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 4, 6 and 8-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Weiberneit et al.

See paragraph three of the previous office action mailed on 10/31/06 for the details of this rejection.

4. Claims 1, 4, 6 and 8-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Lin.

See paragraph four of the previous office action mailed on 10/31/06 for the details of this rejection.

5. Claims 1, 4, 6 and 8-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiberneit et al or Lin.

See paragraph five of the previous office action mailed on 10/31/06 for the details of this rejection.

6. Applicant's arguments filed on 1/11/07 have been fully considered but they are not persuasive.

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The first argument is that in Weiberneit et al, although there is a time, based on the delay through inverter S1, that the inputs to the input circuit are at the same logic state, "this same logic state...is not a predetermined logic state but is rather dependent on the logic state of signal I3." This argument is not persuasive because, according to Webster's dictionary, the word "predetermined" is defined as "determined or established ahead of time" and there is no requirement of independence from other signals. Thus, to argue that the low logic state that both the input and output of inverter E will be in at the same time (as pointed out in the office action) cannot be referred to as a "predetermined" state is not correct. The operation of the Weiberneit et al Fig. 3 circuit will of course be known ahead of time (e.g., prior to the power being turned on, input signals being applied, etc), and thus all signal states of the Weiberneit et al Fig. 3 circuitry will clearly be "predetermined" using the test of broadest reasonable interpretation, which the examiner is using here.

The argument against the Lin rejection is not persuasive for the same reasons noted above with regard to Lin.

The final argument, against the examiner's basis for obviousness, is also not persuasive. It is merely stated that "[a]pplicants do not agree that that is a basis for obviousness"

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without providing any reasons for such a belief. Thus, the rejections based on both Weiberneit et al and Lin are maintained.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

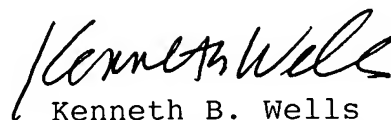
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Wells whose telephone number is (571)272-1757. The examiner can normally be reached on Monday through Friday from 8:30am to 5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan, can be reached at (571)272-1740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kenneth B. Wells
Primary Examiner
Art Unit 2816

March 1, 2007